

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

In re:

TETRAGENEX PHARMACEUTICALS, INC.¹

Debtor

Chapter 11

Case No. _____

**DECLARATION OF PAUL DEUTCH RE: ANALYSIS OF BALLOTS FOR
SOLICITATION OF VOTES ON THE PREPACKAGED PLAN OF
REORGANIZATION OF TETRAGENEX PHARMACEUTICALS, INC. PURSUANT
TO CHAPTER 11 OF THE BANKRUPTCY CODE**

I, Paul Deutch, hereby declare as follows:

1. I am an employee of Omni Management Group, LLC (“Omni”), the balloting and noticing agent of Tetragenex Pharmaceuticals, Inc. (the “Debtor”). I have personal knowledge of the facts set forth herein and, if called upon as a witness, I could and would competently testify as follows:

2. Pursuant to the direction of Tetragenex Pharmaceuticals, Inc., Omni was instructed to and did solicit and tabulate votes from holders of all claims entitled to vote on the *Prepackaged Plan of Reorganization of the Tetragenex Pharmaceuticals, Inc. Proposed by Tetragenex Pharmaceuticals, Inc* (the “Plan”) in accordance with specified voting instructions.

3. I was primarily responsible for supervising the employees of Omni in connection with the tabulation of the ballots (the “Ballots”) received for the acceptance or rejection for the Plan and am authorized to submit this declaration on behalf of Omni.

4. In order for a ballot to be counted as valid, the ballot must have been properly completed in accordance with the balloting instructions and executed by the relevant holder, or such holder’s authorized representative. Although voters were initially instructed to submit all

¹ The last four digits of the Debtor’s federal tax identification number, are 1895. The Debtor’s mailing address for purposes of this case is 6901 Jericho Tpk., Ste 221, Syosset, New York 11791.

ballots so as to be received by Omni by no later than September 3, 2010 (the “Voting Deadline”), the Debtor has subsequently directed Omni to accept as valid ballots received after the Voting Deadline (as long as such ballots were not deemed invalid for reasons other than timeliness). All completed Ballots were required to be mailed to Tetragenex Pharmaceuticals, Inc. c/o Omni Management Group LLC, 16501 Ventura Blvd., Suite 440, Encino, CA 91436, which address was listed on the Ballots, so as to be received by Omni no later than the Voting Deadline.

5. On information and belief, the Debtor granted investment institutions representing Claim and Interest holders in Classes 4 and 5 authority to cast master ballots on behalf of their clients. Omni included the totals from all master ballots received in the vote tallies listed below.

6. The pertinent information from the Ballots received from holders of Class 3, 4, and Class 5 (the “Counted Ballots”) were recorded on the ballot tally sheets (the “Ballot Tally Sheets”) attached hereto as **Exhibits “1”, “2”, and “3”** respectively. Copies of all of the Counted Ballots are available for inspection upon request. All ballots not validly executed in accordance with the Balloting Order were not counted. The reasons for deeming a ballot invalid are included on the annexed exhibits.

7. The voting tabulation for Class 3 – General Unsecured Claims is as follows:

Class 3

17 votes accepting the Plan

0 votes rejecting the Plan

0 votes invalid

Acceptance

100% in number of votes accepting the Plan

100% in dollar amount accepting the Plan

Rejection

0% in number of votes rejecting the Plan

0% in dollar amount rejecting Plan

8. The voting tabulation for classes 4 – Option Holders Claims is as follows:

Class 4

102 votes accepting the Plan

4 votes rejecting the Plan

4 votes invalid

Acceptance

93% in number of votes accepting the Plan

99% in dollar amount accepting the Plan

Rejection

4% in number of votes rejecting the Plan

1% in dollar amount rejecting Plan

9. The voting tabulation for classes 5 – Common Shareholder Claims is as follows:

Class 5

121 votes accepting the Plan

3 votes rejecting the Plan

5 votes invalid

Acceptance

94% in number of votes accepting the Plan

99% in dollar amount accepting the Plan

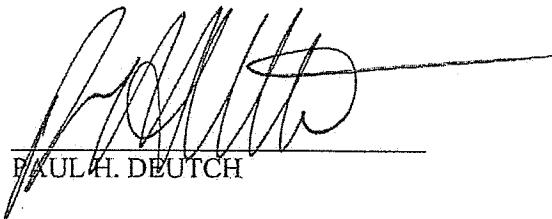
Rejection

2% in number of votes rejecting the Plan

1% in dollar amount rejecting Plan

I declare under penalty of perjury that the foregoing is true and correct.

New York, New York
October 22, 2010



A handwritten signature in black ink, appearing to read "PAUL H. DEUTCH". The signature is fluid and cursive, with a horizontal line drawn underneath it.

PAUL H. DEUTCH

Exhibit 1

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

Class 3 - General Unsecured Claims

| Name of Holder | Date Received | Tax ID | Claim Amount | Vote | Tabulated Amount | Comment |
|--|---------------|--------|-----------------|--------|------------------|---------|
| Aaron Cohen | 8/24/2010 | 6954 | \$ 11,423.00 | Accept | \$ 111,423.00 | |
| Alie E.F. Akerman | 9/10/2010 | | \$ 82,667.00 | Accept | \$ 82,667.00 | |
| Anne C. Feighner | 9/9/2010 | 9856 | \$ 31,003.00 | Accept | \$ 31,003.00 | |
| Bruce Bergman | 8/23/2010 | 3131 | \$ 82,667.00 | Accept | \$ 82,667.00 | |
| Budetti Family Trust | 9/1/2010 | 1491 | \$ 31,003.00 | Accept | \$ 31,003.00 | |
| David Abel | 9/3/2010 | 0459 | \$ 750,320.00 | Accept | \$ 750,320.00 | |
| Diamond Law | 9/2/2010 | 4788 | \$ 4,140.00 | Accept | \$ 4,140.00 | |
| Dominick Addario MD APC Defined Benefit Plan | 8/26/2010 | 4837 | \$ 30,586.00 | Accept | \$ 30,586.00 | |
| Giltz Partners LTD LP | 8/24/2010 | 8956 | \$ 31,003.00 | Accept | \$ 31,003.00 | |
| Greg Dave | 8/28/2010 | 5242 | \$ 89,795.00 | Accept | \$ 89,795.00 | |
| John Feighner Estate | 9/9/2010 | 9856 | \$ 124,046.00 | Accept | \$ 124,046.00 | |
| Martin Schacker | 9/7/2010 | 7336 | \$ 1,119,616.00 | Accept | \$ 1,119,616.00 | |
| Neil Martucci | 8/28/2010 | 7844 | \$ 188,337.00 | Accept | \$ 188,337.00 | |
| Reality Negotiators Inc DBPP David Abel | 9/3/2010 | 2021 | \$ 31,003.00 | Accept | \$ 31,003.00 | |
| Robert Budetti | 9/1/2010 | 1491 | | Accept | \$ 98,632.00 | |
| Seth Abel | 9/27/2010 | | | Accept | \$ 14,479.00 | |
| William Comer | 8/30/2010 | 9510 | | Accept | \$ 113,670.00 | |

Class 3 - General Unsecured Claims

| Total Valid | Accepted | Rejected | Invalid |
|------------------------|----------------|----------------|---------|
| # Votes: | 17 | 17 | 0 |
| Vote %: | 100% | 100.00% | 0.00% |
| Tabulated Claim Amount | \$2,934,360.00 | \$2,934,360.00 | \$0.00 |
| Amount %: | 100% | 100.00% | 0.00% |

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Exhibit 2

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

Class 4 - Option Holder Claims

| Name of Holder | Date Received | Last 4 Digits | Tax ID | Warrant/Option Share Amount | Vote | Tabulated Share Amount | Comment |
|--|---------------|---------------|--------|-----------------------------|--------|------------------------|--|
| Aaron Cohen | 8/24/2010 | 6954 | | 542,813.00 | Accept | 542,813.00 | |
| Admin P/SD Medical Group 401k PSP DTD 1/18/9 FBO Nicholas Frost | 8/25/2010 | 6074 | | 208.00 | Accept | 208.00 | |
| Alan Harry Robson and Carol Lynn Robson, JTWRROS | 8/27/2010 | | | 208.00 | Accept | 208.00 | |
| Alan N Barnes | 8/20/2010 | 3841 | | 1,769.00 | Accept | 1,769.00 | |
| Alf E.F. Akerman | 9/10/2010 | | | 564,583.00 | Accept | 564,583.00 | |
| Americo Mongiallo | 9/20/2010 | 2443 | | | Accept | 1,459.00 | |
| Anne C. Feighner | 9/9/2010 | 9856 | | 100,000.00 | Accept | 100,000.00 | |
| Anne C Feighner - CitiGroup Global Markets | 9/9/2010 | | | 207,803.00 | Accept | | -Amount used for tabulation purposes is \$0.00 - Unable to locate creditor in Option Share Holder list and exceeds the shares for CitiGroup Global Markets |
| Anthony Conza | 8/26/2010 | 6049 | | 487.00 | Accept | 487.00 | |
| Angela and Cornelia Ruben Family Trust Dated 4/26/89 | 8/27/2010 | 5813 | | 9,612.00 | Accept | 15,168.00 | |
| Alto Rubber IRA | 8/27/2010 | 5813 | | 3,098.00 | Accept | 3,098.00 | |
| B.F. & E. Wade | 8/26/2010 | | | 833.00 | Accept | 833.00 | |
| BNY Clearing Services LLC, CUST FBO Douglas K. APO IRA | 8/19/2010 | 1976 | | 167.00 | Accept | 167.00 | |
| Bob C Phillips & Jeanne A. Phillips, TTEEFS of the Phillips Brown, Myron D. Revocable Trust | 8/28/2010 | 0757 | | 160.00 | Accept | 160.00 | |
| Bruce Bergman | 8/23/2010 | 3131 | | 680,520.00 | Accept | 680,520.00 | |
| Bruce Rawdin Baron | 8/23/2010 | 9988 | | 208.00 | Accept | 208.00 | |
| Budetti Charitable Remainder Irrevocable Trust | 9/12/2010 | 0655 | | | Accept | 1,302.00 | |
| Budetti Family Trust | 9/12/2010 | 1491 | | | Accept | 106,510.00 | |
| Charles J. Hahn II | 9/3/2010 | 1291 | | | Accept | 208.00 | |
| Christina D. Woody | 9/10/2010 | 7771 | | 208.00 | Accept | 208.00 | |
| CitiGroup Global Markets - Robert Friedman TTEE, Robert A Friedman Trust Willa Friedman TTEE, Willa J Friedman Trust/Tenants in Com Conner, Bill | 8/30/2010 | | | 822.00 | Reject | | |
| Corals Trading Limited | 9/2/2010 | | | | | | |
| Daniel Carroll | 8/30/2010 | 3196 | | 1,042.00 | Accept | 1,302.00 | |
| Daniel G. McCormick TR FBO Daniel G. McCormick Profit Sharing Plan U/A Dated | 8/30/2010 | 6035 | | 11,589.00 | Accept | 1,042.00 | Signed by Kevin McCormack |
| David A. Branch | 8/30/2010 | 7023 | | 167.00 | Accept | 167.00 | |
| Dean Miller Reynolds Custodian for Thomas A. Flanagan, IRA Standard | 8/28/2010 | 6298 | | 250.00 | Accept | 250.00 | |
| Deborah S. Grant | 9/7/2010 | 9510 | | 4,688.00 | Accept | 4,688.00 | |
| Dominick Addario | 8/26/2010 | 1994 | | 1,302.00 | Accept | 1,302.00 | |
| Donald S. Asher | 8/18/2010 | 0469 | | 1,042.00 | Accept | 160.00 | |
| Dr. Barry Gruer and Ellen A. Gruer, JTWRROS | 8/30/2010 | 5740 | | 2,416.00 | Accept | 2,416.00 | |
| Dr. Eric H. Spellman and Linda L. Spellman, JTWRROS | 9/27/2010 | 2741 | | 167.00 | Accept | 167.00 | |
| Edward and Betty Parise JTWRROS | 8/28/2010 | 5259 | | 2,083.00 | Accept | 2,083.00 | |
| Edward A. Parise Jr. | 8/28/2010 | 5259 | | 2,083.00 | Accept | 2,083.00 | |
| Eric H. Spellman M.D. | 9/27/2010 | 2741 | | 345.00 | Accept | 345.00 | |
| Eric H. Spellman DMD Keough P/S Plan | 9/27/2010 | 2741 | | 167.00 | Accept | 167.00 | |
| First Trust Corp. TTEE for Bob C. Phillips IRA | 9/7/2010 | | | 478.00 | Accept | 478.00 | |
| G. Flynn Bowie | 8/26/2010 | 0881 | | 178.00 | Accept | 178.00 | |
| Gilley Partners LTD, L.P. | 8/24/2010 | 8956 | | 100,000.00 | Accept | 100,000.00 | |

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

Class 4 - Option Holder Claims

| Name of Holder | Date Received | Tax ID Last 4 Digits | Warrant/Option Share Amount | Vote | Tabulated Share Amount | Comment |
|---|---------------|----------------------|-----------------------------|---------|------------------------|-------------------------------------|
| Harry J. Schmidt & Reed Schmidt & Maren De Laitsch & Robert Schmidt & Andrew Schmidt, JTTen Harvey Kohn | 8/20/2010 | 4206 | 2,055.00 | Accept | 320.00 | |
| Healthflex, LTD. | 8/23/2010 | 5376 | 750,000.00 | Accept | 750,000.00 | |
| Howard A. Blalick | 8/20/2010 | 5796 | 8,334.00 | Accept | 8,334.00 | |
| Ircandela Richard Trust c/o Tenexco | 8/26/2010 | | 639.00 | Reject | 639.00 | |
| Jack Plunkett | 8/23/2010 | 3020 | 52.00 | Accept | 321.00 | |
| James F. Eldridge | 9/15/2010 | 3945 | 130.00 | Accept | 521.00 | Ballot Completed by "John Plunkett" |
| James Gormley and Darlene Gormley Living Trust UAD 8/6/93 | 8/23/2010 | 5943 | 128.00 | Accept | 130.00 | |
| Janis F. Carroll | 8/30/2010 | 6757 | 9,199.00 | Accept | 128.00 | |
| Jeffrey S. Pevnick IRA | 8/19/2010 | 2151 | 104.00 | Accept | 3,031.00 | |
| Jennifer Anne Feighner | 9/9/2010 | 9841 | 13,752.00 | Accept | 104.00 | |
| Jerry A. Garrelson and Eleanor F. Garrelson Trust | 8/18/2010 | 2072 | 140.00 | Accept | 13,752.00 | |
| Joel M. Klein | 8/25/2010 | 5362 | 274.00 | Accept | 140.00 | |
| John Daniel Feighner | 9/9/2010 | 8186 | 13,543.00 | Accept | 274.00 | |
| John Feighner | 9/9/2010 | 9856 | 585,976.00 | Accept | 13,543.00 | |
| John P. Feighner and Scott Feighner Joint Tenants | 9/9/2010 | 9856 | 334.00 | Accept | 585,976.00 | |
| John P. Feighner SSB IRA Rollover | 9/9/2010 | 9856 | 5,501.00 | Accept | 334.00 | |
| Johnnie Nell Carroll | 8/23/2010 | 2481 | 2,604.00 | Accept | 5,501.00 | |
| Joseph H. Ingram | 8/30/2010 | 9108 | 1,042.00 | Accept | 2,604.00 | |
| Joseph Hlavka | 9/30/2010 | 9850 | 165,000.00 | Accept | 1,042.00 | |
| Judy Critchfield and John Critchfield, JTWRos | 9/2/2010 | | | Accept | 165,000.00 | |
| Kapner, William M.D. | 9/13/2010 | 5235 | 5,780.00 | Accept | 165,000.00 | |
| Kenneth A. Khoury Trust | 8/19/2010 | 1333 | 1,302.00 | Accept | 165,000.00 | |
| Kurt F. Heilman | 8/27/2010 | 3269 | 833.00 | Accept | 1,302.00 | |
| Leslie H. Blum | 8/18/2010 | 4017 | 115.00 | Accept | 833.00 | |
| Linda L. Spellman | 9/27/2010 | 0753 | 1,042.00 | Accept | 115.00 | |
| Linda M. Garrett | 8/23/2010 | 8068 | 9,767.00 | Accept | 1,042.00 | |
| Louise Lynch and George Lynch | 8/25/2010 | 3043 | 83.00 | Accept | 1,042.00 | |
| Lynn Bicker | 8/30/2010 | 5984 | | Invalid | 83.00 | No "Vote" Selected |
| Lyonshare Venture Capital | 8/28/2010 | 3047 | | Accept | 83.00 | |
| Malvin H. Chodos | 8/23/2010 | 3532 | 208.00 | Accept | 128.00 | |
| Margaret Fenander | 8/26/2010 | 6127 | 204.00 | Accept | 208.00 | |
| Mark and Sheila Read, JTWRos | 8/28/2010 | | | Invalid | 204.00 | |
| Martin Schacker | 9/7/2010 | 7336 | 1,494,550.00 | Accept | 204.00 | No signature |
| Michael Plunkett | 8/23/2010 | 2078 | 521.00 | Accept | 1,494,550.00 | |
| Montgomery, Stuart | 8/25/2010 | | 5,625.00 | Accept | 521.00 | |
| Neil Martucci | 8/28/2010 | 7844 | 603,226.00 | Accept | 5,625.00 | |
| Nolen C. Allen | 8/23/2010 | 6414 | 596.00 | Accept | 603,226.00 | |
| | | | | | 596.00 | |

Tetragenex Pharmaceuticals, Inc.
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Class 4 - Option Holder Claims

| Name of Holder | Date Received | Tax ID | Last 4 Digits | Warrant/Option Share Amount | Vote | Tabulated Share Amount | Comment |
|--|---------------|--------|---------------|-----------------------------|------|------------------------|---|
| Norman Laufer & May Laufer JTWRos | 8/26/2010 | 8639 | 140.00 | Accept | | 140.00 | |
| Padgett, Alexia A. and John J. JTWRos | 8/25/2010 | 5057 | 1,042.00 | Accept | | 1,042.00 | |
| Patricia C. Vanraadsen | 8/26/2010 | 3539 | 177.00 | Accept | | 177.00 | |
| Perry Weitz | 9/7/2010 | 3441 | | Invalid | | - | No signature |
| Peter J.D. Detel | 8/26/2010 | 0493 | 799.00 | Accept | | 799.00 | |
| Philip L. Geibel and Marceline S. Geibel, JTWRos | 9/3/2010 | | | Accept | | 1,042.00 | |
| Phyllis Peters | 9/2/2010 | 9377 | 2,562.00 | Accept | | 363.00 | |
| Phyllis Peters | 9/2/2010 | | | Invalid | | | Xerox Copy of Ballot - Claim Holder "Phyllis R. Peters Trust" not found. |
| Raymond Kayal and Isabelle Kayal | 8/26/2010 | 2578 | 142.00 | Accept | | 142.00 | |
| RBC Wealth Management and/or RBC Capital Markets | 9/13/2010 | | 21,378.00 | Accept | | 21,378.00 | Master Ballot (Submitted by Steve Schafer) |
| Regina Rosenblum | 9/3/2010 | 9161 | 21,542.00 | Accept | | 21,542.00 | |
| Richard S. Incandela Trust | 8/28/2010 | | 390.00 | Accept | | 390.00 | |
| Richard S. Incandela Trust Dtd 9/15/91 | 9/17/2010 | | | Accept | | 2,292.00 | |
| Robert Budelli | 9/1/2010 | 1491 | | Accept | | 769,588.00 | |
| Robert A Friedman - CitiGroup Global Markets | 9/7/2010 | 0687 | 4,991.00 | Accept | | | Amount used for tabulation purposes is \$0.00 - Unable to locate creditor in Option Share Holder list and exceeds the shares for Citigroup Global Markets |
| Robert P. Budelli | 9/1/2010 | 1491 | | Accept | | 680,417.00 | |
| Sanker Das, Tara | 8/23/2010 | 5722 | 1,389.00 | Accept | | 1,389.00 | |
| Scott Preston Feighner | 9/9/2010 | 8186 | 13,543.00 | Accept | | 13,543.00 | |
| Seppo & Kirsti Tittu, JTWRos | 9/2/2010 | 7415 | | Accept | | 5,114.00 | |
| Seth A. Abel and Stephanie L. Wilk JTWRos | 9/2/2010 | | | Accept | | 20,834.00 | |
| Shewin D. Yoelin | 8/23/2010 | 2446 | 208.00 | Accept | | 208.00 | |
| Sieger, Ann | 9/2/2010 | 6633 | 4,166.00 | Accept | | 4,166.00 | |
| Stanley Katz | 8/23/2010 | 0133 | 78.00 | Accept | | 78.00 | |
| Stephen E. Webber & Marie T. Webber | 9/2/2010 | 4493 | 208.00 | Reject | | 208.00 | |
| Stitchling Ruischend Loof | 9/30/2010 | | 9,166.00 | Accept | | 9,166.00 | |
| Stuart Montgomery and Dietre Brenda Montgomery JTWRos | 8/25/2010 | | 417.00 | Accept | | 417.00 | |
| The Gunther Hufnagl Living Trust | 8/28/2010 | 1548 | 18,267.00 | Accept | | 18,267.00 | |
| The Richard Dunbar Family Trust DTD 4-26-1996 Richard & Marcia Dunbar TTEEES | 8/28/2010 | 2413 | 2,778.00 | Reject | | 2,778.00 | |
| Theodore L. Gregg II | 9/27/2010 | 6300 | 1.00 | Accept | | 1.00 | |
| Wedbush Morgan Securities | 9/9/2010 | 9836 | 11,112.00 | Accept | | 11,112.00 | |
| Wedbush Morgan Securities Custodian for Anne C Feighner IRA | 9/9/2010 | 9836 | 2,084.00 | Accept | | 2,084.00 | |
| William Comer | 8/30/2010 | 9510 | 765,417.00 | Accept | | 765,417.00 | |

Class 4 - Option Holder Claims

| Total Valid | Accepted | Rejected | Invalid |
|------------------------|--------------|--------------|----------|
| # Votes: | 106 | 102 | 4 |
| Vote %: | 96.36% | 92.73% | 3.64% |
| Tabulated Share Amount | 8,251,183.00 | 8,246,736.00 | 4,447.00 |
| Amount %: | 100% | 99.95% | 0.05% |

Exhibit 3

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

Class 5 - Common Share Holder Claims

| Name of Holder | Date Received | Tax ID | Common Stock Share Amount | Vote | Tabulated Amount | Comment |
|--|---------------|--------|---------------------------|---------|------------------|---|
| | Last 4 Digits | | | | | |
| Aaron and Nancy Cohen Family Settlement Admin PCSD Medical Group 401k FSP DTD 11/18/89 FBO Nicholas Frost | 8/24/2010 | 7574 | 20,000.00 | Accept | 20,000.00 | |
| Alan Harry Robson and Carol Lynn Robson, JTWRROS Alexis A. and John Padgett JTWRROS ALM Marketing Corporation APC Profit and Pension Sharing Plan, Dominick Addario, MD Trustee B.F. & E. Wade | 8/25/2010 | 6074 | 1,471.00 | Accept | 1,471.00 | |
| Bernard and Elizabeth Li JTWRROS Bob C. Phillips & Jeane A. Phillips, TTEES of the Phillips Booth & Co., Bruce Rawdin-Baron and Michelle Rawdin-Baron, Trustees The Rawdin-Baron Trust Budgetti Family Trust Burton I. Koffman Carl T. Ernststrom Charles D. Bloch Trustee FBO Bloch Family Living Trust 12/18/95 Chris Plunkett Christina D. Woody Christopher Plunkett Daniel Carroll Daniel G. McCormick TR FBO David G. McCormick Profit Sharing Plan U/A Dated David A. Branch Dean A. Johnson Dean Witter Reynolds Custodian for Thomas A. Flanagan IRA Standard Delaware Charter Guarantee & Trust Co. FBO Robert George Shepherd, IRA Rollover Dominick Addario Donald Asher Trustee, Donald Asher Family Trust U/A Dated 7/1/01 Donald S. Asher Douglas Apo Dr. Barry Gruer and Ellen A. Gruer, JTWRROS Dr. Eric H. Spellman and Linda L. Spellman, JTWRROS Edward A. Parise Jr. Edward and Betty Parise JTWRROS Edward W Wedbush & Jean L. Wedbush, Comm Prop Elliot Jacoby Eric H. Spellman, M.D. | 8/26/2010 | 1934 | 68,383.00 | Accept | 68,383.00 | |
| | 8/26/2010 | | 5,882.00 | Accept | 5,882.00 | |
| | 8/30/2010 | 2104 | 125,000.00 | Accept | 200,000.00 | |
| | 9/7/2010 | | 19,153.00 | Accept | 19,153.00 | |
| | 9/9/2010 | 2297 | 134,800.00 | Accept | 134,800.00 | |
| | 8/23/2010 | 9988 | 10,219.00 | Accept | 10,219.00 | |
| | 9/1/2010 | 1491 | | Accept | 10,417.00 | |
| | 8/23/2010 | | 23,758.00 | Accept | 23,758.00 | |
| | 8/27/2010 | 2966 | 2,055.00 | Accept | 2,055.00 | |
| | 8/28/2010 | 4809 | 75,000.00 | Accept | 75,000.00 | |
| | 9/2/2010 | 0101 | | Accept | 2,782.00 | |
| | 9/10/2010 | 7771 | 2,767.00 | Accept | 2,767.00 | |
| | 9/22/2010 | 0101 | | Accept | 521.00 | |
| | 8/30/2010 | 2119 | 2,083.00 | Accept | 1,442.00 | |
| | 8/30/2010 | 6035 | 24,819.00 | Accept | 2,083.00 | |
| | 8/30/2010 | 7023 | 1,471.00 | Accept | 1,471.00 | |
| | 8/23/2010 | 1204 | 12,500.00 | Accept | 12,500.00 | |
| | 8/28/2010 | 6298 | 1,765.00 | Accept | 1,765.00 | |
| | 9/2/2010 | 9104 | 471.00 | Accept | 471.00 | |
| | 8/26/2010 | 2081 | 12,500.00 | Accept | 12,500.00 | |
| | 8/18/2010 | 0469 | 4,412.00 | Accept | 4,412.00 | |
| | 8/18/2010 | | | | | |
| | 8/19/2010 | 0469 | 4,596.00 | Accept | 4,596.00 | |
| | 8/19/2010 | 1976 | 2,500.00 | Accept | 2,500.00 | |
| | 8/30/2010 | 5740 | 7,108.00 | Accept | 7,108.00 | |
| | 9/27/2010 | 2741 | 6,177.00 | Accept | 6,177.00 | |
| | 8/28/2010 | 5259 | 14,167.00 | Accept | 4,167.00 | |
| | 8/28/2010 | 5259 | 4,167.00 | Accept | 4,167.00 | |
| | 8/26/2010 | | 187,500.00 | Accept | 187,500.00 | |
| | 8/20/2010 | | 2,063.00 | Invalid | | Ballot Invalid. Ballot returned does not provide a signature. |
| | 9/27/2010 | 2741 | 2,063.00 | Accept | 2,063.00 | |

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

Class 5 - Common Share Holder Claims

| Name of Holder | Date Received | Tax ID | Common Stock Share Amount | Vote | Tabulated Amount | Comment |
|---|---------------|--------|---------------------------|---------|------------------|--|
| Eric H. Spellman, DMD Keough P/S Plan Feighner Family Trust Did 9/22/97 | 9/27/2010 | 2741 | 1,177.00 | Accept | 1,177.00 | |
| First Trust Corp. TTEE for Bob C. Phillips IRA | 9/9/2010 | 9856 | 50,000.00 | Accept | 50,000.00 | |
| Gilcy Partners LTD. L.P. | 9/7/2010 | | 7,456.00 | Accept | 7,458.00 | |
| Harvey Kohn | 8/24/2010 | 8956 | 48,655.00 | Accept | 48,655.00 | |
| Healthflex, LTD | 8/23/2010 | 5376 | 2,892,222.00 | Accept | 2,892,222.00 | |
| Heather Lindsay | 8/27/2010 | | 8,824.00 | Accept | 8,824.00 | |
| Helen H. Davis | 9/18/2010 | 3299 | 5,000.00 | Accept | | -Amount used for tabulation purposes is \$0.00 - Unable to locate creditor in Common Share Holder list |
| Jack Plunkett | 9/2/2010 | 8415 | 125,000.00 | Accept | 125,000.00 | |
| James F. Eldridge | 8/23/2010 | 3020 | 1,042.00 | Accept | 1,042.00 | |
| James Ferguson | 9/15/2010 | 3945 | 3,158.00 | Accept | 3,158.00 | |
| James M and Susan Ferguson JTWRROS | 8/23/2010 | 4906 | 17,314.00 | Accept | 17,314.00 | |
| James Gormley and Darlene Gormley Living Trust UAD 8/6/93 | 8/23/2010 | 4906 | 25,000.00 | Accept | 25,000.00 | |
| James R. Mills & Junko M. Mills, JTWRROS | 8/28/2010 | 0299 | 21,263.00 | Accept | 21,263.00 | |
| Janet K. Paul | 8/20/2010 | 6461 | | Accept | 1,028.00 | "Number of Shares Held" listed as "Don't Know" |
| Jeffrey S. Peavnick IRA | 8/19/2010 | 5360 | | Accept | 1,384.00 | "Number of Shares Held" was left blank |
| Jennifer Anne Feighner | 9/9/2010 | 9841 | 28,175.00 | Accept | 28,175.00 | |
| Jerry A. Garrison and Eleanor F. Garretson Trust | 8/18/2010 | 2072 | 1,404.00 | Accept | 1,404.00 | |
| Jerry Landsberg | 8/23/2010 | | 20,833.00 | Accept | 20,833.00 | |
| Joel M. Klein | 8/25/2010 | 5362 | 3,457.00 | Accept | 3,457.00 | |
| John D. Lindsey | 8/30/2010 | 5588 | 25,000.00 | Accept | 25,000.00 | |
| John Daniel Feighner | 9/8/2010 | 8186 | 28,175.00 | Accept | 28,175.00 | |
| John R Feighner SSB IRA Rollover | 9/9/2010 | 9856 | 167,606.00 | Accept | 167,606.00 | |
| Joseph H. Ingram | 8/30/2010 | 9108 | 2,083.00 | Accept | 2,083.00 | |
| Judith C. McDowell | 8/19/2010 | 5159 | 2,500.00 | Accept | 2,500.00 | |
| Judy Critchfield and John Critchfield, JTWRROS | 9/2/2010 | | | Accept | 172.00 | |
| Kenneth A. Khouri Trust | 8/19/2010 | 1393 | 4,583.00 | Accept | 4,583.00 | |
| Kenneth & Ann L. Cartwright JTWRROS | 9/8/2010 | 3253 | 27,500.00 | Accept | 27,500.00 | |
| Kurt F. Heitman | 8/27/2010 | 3269 | 5,882.00 | Accept | 5,882.00 | |
| Lee H. Silverstein | 8/19/2010 | 9716 | 2,055.00 | Accept | 2,055.00 | |
| Leslie H. Blum | 8/18/2010 | 4017 | 1,493.00 | Accept | 1,493.00 | |
| Linda Bergman | 8/26/2010 | 9996 | 1,654.00 | Accept | 1,654.00 | |
| Linda L. Spellman | 9/27/2010 | 0753 | 2,083.00 | Accept | 2,083.00 | |
| Lindsay B. Bickert | 8/30/2010 | | | Invalid | | No "Vote" Selected |
| Louise Lynch and George Lynch | 8/25/2010 | 3043 | 588.00 | Accept | 588.00 | |
| Lucille A. Lindsay | 9/18/2010 | 0214 | 20,000.00 | Accept | 20,000.00 | |
| Malvin H. Chodos | 8/23/2010 | 3532 | 1,471.00 | Accept | 1,471.00 | |

Tetragenex Pharmaceuticals, Inc.
Case No.
Ballot Report

October 22, 2010 5:15:20 PM

Class 5 - Common Share Holder Claims

| Name of Holder | Date Received | Tax ID | Last 4 Digits | Common Stock Share Amount | Vote | Tabulated Amount | Comment |
|---|---------------|--------|---------------|---------------------------|---------|------------------|--|
| Margaret Fenander | 8/26/2010 | 6127 | | 1,130.00 | Accept | 1,130.00 | |
| Mark and Sheila Read JTWRROS | 8/28/2010 | | | 1,042.00 | Invalid | | No signature |
| Marvin T. Ogle Living Revocable Trust | 8/29/2010 | 3080 | | 8,288.00 | Reject | 8,288.00 | |
| Matthew I K Cockett | 9/7/2010 | | | 9,743.00 | Invalid | | No signature |
| Maureen E. Raymo | 9/2/2010 | 4864 | | 10,000.00 | Accept | 10,000.00 | |
| Max G. Ansbacher | 9/3/2010 | 3761 | | | Accept | 57,692.00 | Ballot label missing; Tabulated Amount taken from Ballot Class Reports provided by Tetragenex |
| Michael Cantor | 9/3/2010 | 1359 | | 4,167.00 | Accept | 4,167.00 | |
| Michael Plunkett | 8/23/2010 | 2078 | | 1,042.00 | Accept | 1,042.00 | |
| Muse LC | 8/23/2010 | 0359 | | 12,500.00 | Accept | 12,500.00 | |
| Myron D. Brown Revocable Trust FBO Myron D Brown | 8/28/2010 | 0757 | | 12,500.00 | Accept | 8,334.00 | |
| Naomi Mendelsohn | 8/20/2010 | 3785 | | 2,500.00 | Accept | 2,500.00 | |
| National Financial Service LLC | 9/2/2010 | | | | Accept | 316,557.00 | Master Ballot (Submitted by Donna Lodge/Lewis Trezza) |
| Neil Martucci | 8/28/2010 | 7844 | | 2,750.00 | Accept | 2,750.00 | |
| NFS/IFMTC Ira fbo Thomas A Smith | 9/7/2010 | 8753 | | 2,000.00 | Accept | | Amount used for tabulation purposes is \$0.00 - Unable to locate creditor in Common Share Holder list |
| Nicholas R. Frost, M.D. | 8/20/2010 | 6074 | | 2,500.00 | Accept | 2,500.00 | |
| Norman Laufer & May Laufer JTWRROS | 8/26/2010 | 8639 | | 4,370.00 | Accept | 4,230.00 | |
| Pearl M. Hall | 9/1/2010 | | | | Accept | 1,042.00 | |
| Perry Weitz | 9/7/2010 | 3441 | | | Invalid | | No signature |
| Peter J.D. Deidel | 8/26/2010 | 0493 | | 6,741.00 | Accept | 6,741.00 | |
| Philip L. Geibel and Marcelene S. Geibel, JTWRROS | 9/3/2010 | | | | Accept | 2,083.00 | "Vote/Tabulation Amount" is 2000 Shares corresponding to the ballots attached from Beneficial holders. |
| Raymond James & Associates, Inc. | 9/1/2010 | 7041 | | 2,000.00 | Accept | 2,000.00 | |
| Raymond Kayal and Isabelle Kayal | 8/26/2010 | 2578 | | 5,190.00 | Accept | 5,190.00 | |
| RBC Wealth Management and/or RBC Capital Markets | 9/13/2010 | | | 62,662.00 | Accept | 62,662.00 | Master Ballot (Submitted by Steve Schaefer) |
| Regina Rosenblum | 9/3/2010 | 9161 | | 42,500.00 | Accept | 42,500.00 | |
| Richard Neihart | 8/23/2010 | 6524 | | | Accept | 214.00 | "Number of Shares Held" was left blank |
| Richard S. Incandela Trust | 8/26/2010 | | | | Accept | 4,834.00 | |
| Richard S. Incandela Trust Dtd 9/15/91 | 9/17/2010 | | | | Accept | 34,039.00 | |
| Robert Budetti | 9/1/2010 | 1491 | | | Accept | 12,500.00 | |
| Robert M. Rubin | 8/25/2010 | 7354 | | | Accept | 53,333.00 | "Number of Shares Held" was listed as "Not Sure" |
| Robert Shephard, IRA Rollover | 9/2/2010 | 9104 | | 1,000.00 | Accept | 1,000.00 | |
| Rolf Schreuder | 8/28/2010 | | | 3,750.00 | Accept | 3,750.00 | |
| Rosenthal Family Living Trust, June 1989 | 9/10/2010 | 2184 | | 25,000.00 | Accept | 25,000.00 | |
| Sean A. Cunningham | 9/13/2010 | 6659 | | 1,250.00 | Accept | 1,250.00 | |
| Scott Preston Feighner | 9/9/2010 | 8186 | | 18,216.00 | Accept | 18,216.00 | |
| Seppo & Kirsti Iilito, JTWRROS | 9/2/2010 | 7415 | | | Accept | 96,964.00 | |

Tetragenex Pharmaceuticals, Inc.
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Class 5 - Common Share Holder Claims

| Name of Holder | | Date Received | Tax ID Last 4 Digits | Common Stock Share Amount | Vote | Tabulated Amount | Comment |
|---|--|---------------|----------------------|---------------------------|--------|------------------|---------|
| Seth A. Abel and Stephanie L. Wilk, JTWRROS | | 9/27/2010 | | 5,000.00 | Accept | 2,055.00 | |
| Sheila L. Goldman Living Trust U/TIA DTD September 21, 2000 | | 8/23/2010 | | 5,000.00 | Accept | 5,000.00 | |
| Sherwin D. Yoelin | | 8/23/2010 | 2446 | 3,971.00 | Accept | 3,971.00 | |
| Sieger, Ann | | 9/2/2010 | 6693 | 2,500.00 | Accept | 2,500.00 | |
| Stanley Katz | | 8/23/2010 | 0133 | 1,750.00 | Accept | 1,750.00 | |
| Stephen E. Webber & Marie T. Webber | | 9/2/2010 | 4493 | 1,471.00 | Reject | 1,471.00 | |
| Stephen G. Graikier Trust | | 8/19/2010 | 2226 | 2,971.00 | Accept | 2,971.00 | |
| Stichting Ruischend Loof | | 8/30/2010 | | 820,109.00 | Accept | 820,109.00 | |
| Stuart Montgomery and Deidre Brenda Montgomery JTWRROS | | 8/25/2010 | | 2,941.00 | Accept | 2,941.00 | |
| Sylvia Wermes | | 9/10/2010 | 5962 | 5,000.00 | Accept | 5,000.00 | |
| Tara Das | | 8/23/2010 | 5722 | 1,924.00 | Accept | 1,924.00 | |
| The Gunner Inc. Profit Sharing Plan | | 8/26/2010 | 5175 | 1,958.00 | Accept | 1,958.00 | |
| The Gunther Hufnagl Living Trust | | 8/28/2010 | 1548 | 345,260.00 | Accept | 345,260.00 | |
| Theodore William Hoehn, III and Susan Hoehn JTWRROS | | 8/28/2010 | 5582 | | Reject | 18,971.00 | |
| Vlaude, Bryan and Eria | | 8/26/2010 | | 29,430.00 | Accept | 29,430.00 | |
| Vivedbush Morgan Securities | | 9/9/2010 | 9856 | 800.00 | Accept | 800.00 | |
| Vivedbush Morgan Securities Custodian for Anne C Feighner IRA | | 9/9/2010 | 9856 | 8,333.00 | Accept | 8,333.00 | |
| Vivedbush Morgan Securities Custodian for Anne C Feighner IRA | | 9/9/2010 | 9856 | 16,901.00 | Accept | 16,901.00 | |
| Veiller Moore Family Trust | | 9/3/2010 | | 179,167.00 | Accept | 179,167.00 | |
| William C. & Jennifer Auer JTWRROS | | 8/23/2010 | 3154 | 46,772.00 | Accept | 46,772.00 | |
| William Comer | | 8/30/2010 | 9510 | 147,172.00 | Accept | 147,172.00 | |
| William Kapner DDS, P.C. Pension Plan | | 9/13/2010 | 6682 | 3,750.00 | Accept | 3,750.00 | |

Class 5 - Common Share Holder Claims

| Total Valid | Accepted | Rejected | Invalid |
|------------------------|--------------|--------------|-----------|
| # Votes: | 124 | 121 | 3 |
| Vote %: | 96.12% | 93.80% | 2.33% |
| Tabulated Share Amount | 6,872,306.00 | 6,843,576.00 | 28,730.00 |
| Amount %: | 100% | 99.58% | 0.42% |